



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: July 13, 2010

SUBJECT: BZA Case 18085 - Request for Special Exception relief under § 223 for a one-story rear addition at 720 Park Road, NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the requested special exception pursuant to §223, to permit a one-story rear addition at 720 Park Road, NW that does not meet the requirements of Section 401, lot width and Section 403, lot occupancy.

The original application states that the existing lot occupancy is 39% and with the addition would be increased to 54%. Subsequently, the applicant has recalculated the lot occupancy and states that the existing lot occupancy is 41% and the proposed lot occupancy would be 51%. The applicant has also revised the Side and Rear Elevation plans to show the stairs to the rear of the addition.

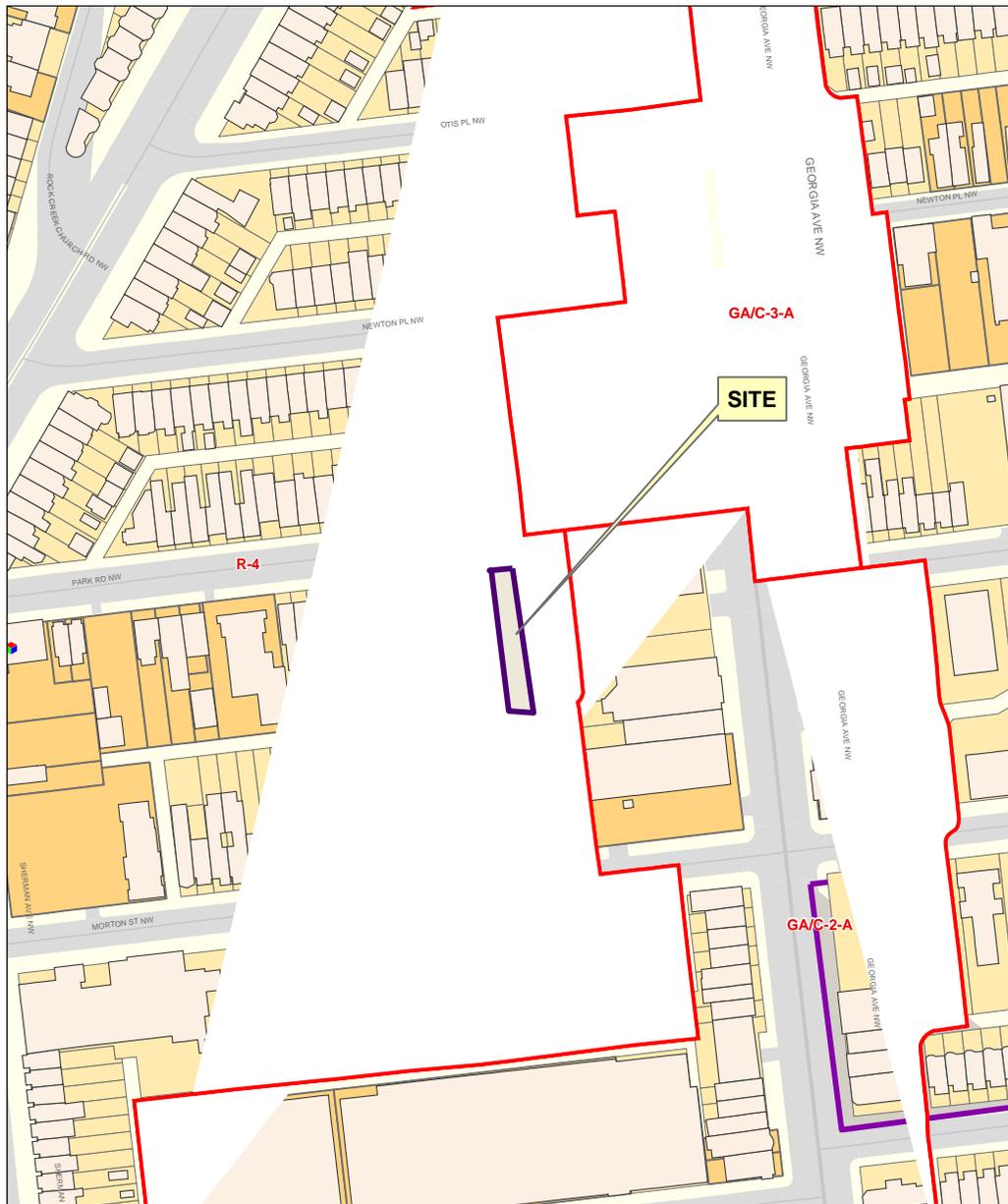
II. LOCATION AND SITE DESCRIPTION

Address:	720 Park Road, NW
Legal Description:	Square 2838, Lot 25
Ward:	Ward 1, ANC- 1A
Lot Characteristics:	The property is rectangular in shape with an area of 3,277.5 square feet with a 15 feet wide alley to its rear.
Zoning:	R-4 – detached, attached, semi detached, single family dwellings and flats.
Existing Development:	Two-story, semi-detached, single-family dwelling.
Historic District:	N/A
Adjacent Properties:	3-story condominium building to the east and 2-story rowhouses to the west, north and south.
Surrounding Neighborhood Character:	The surrounding community is developed with predominantly 2- and 3-story rowhouses interspersed with a few 3-4 story apartment buildings and are in the R-4 district. The property is approximately one block west of the Georgia Avenue commercial corridor which is in the GA/ C-3-A district.



III. PROJECT DESCRIPTION IN BRIEF

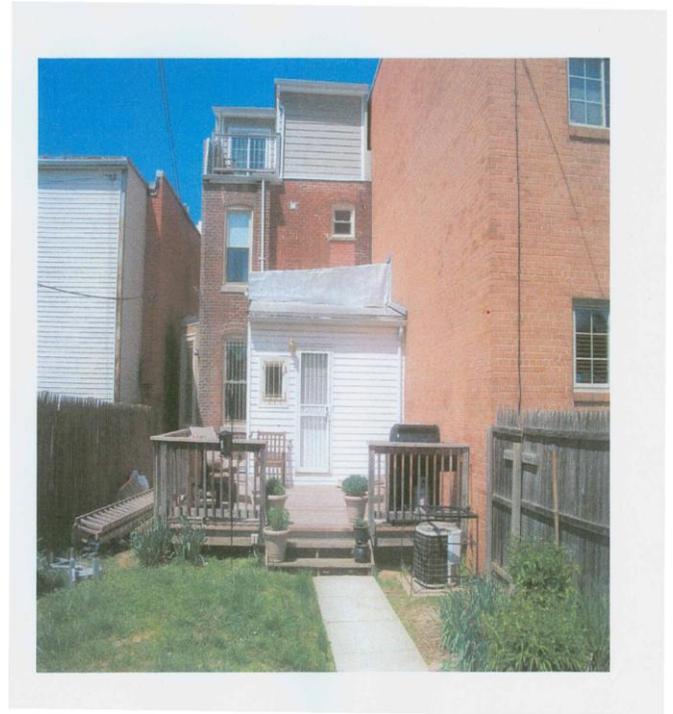
Proposal:	The applicant proposes to demolish the existing laundry room and deck and replace them with a one-story addition. The proposed addition would increase the lot occupancy from 41% to 51%; and would have a side yard of 5-feet.
Relief Sought:	§223 – Additions to One-Family Dwellings or Flats (R-1)



Site Location



Front Elevation



Rear Elevation

IV. ZONING REQUIREMENTS

The subject property is in the R-4 district, designated for “. . . areas now developed with row dwellings . . .”. The table below shows the zoning requirement for the R-4 district and how they are met by the existing and proposed building:

R-4 Zone	Regulation	Existing	Proposed	Relief
Height (ft.) § 400	40 ft. max	35 ft.	14 ft. (for addition)	None required
Lot Area (sq. ft.) § 401	3,000 sq. ft. min.	3,277.5 sq. ft.	3,277.5 sq. ft.	None required
Lot Width (ft.) § 401	30 ft. min.	23 ft.	23 ft.	7 ft. (existing non-conformity)
Lot Occupancy § 403	40% max. (70% max. per § 223.)	41%	51%	Required
Rear Yard (ft.) § 404	20 ft. min.	70 ft.	48 ft.	None required
Side Yard (ft.) § 405	8 ft.	0 ft./4.5 ft.	5 ft. (for addition)	3 ft. (required for the addition)

V. ANALYSIS:

§ 223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223.1 *An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

Row dwellings and flats are a permitted uses in the R-4 zone. The addition extends the nonconformity of lot occupancy and the side yard of the addition would be nonconforming, but to a lesser extent than the main house. Section 223 allows special exception review of the variations from the requirements, subject to the provision of Sections 223.2 to 223.5.

223.2 *The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

- (a) The light and air available to neighboring properties shall not be unduly affected;*
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The one-story addition would be attached to the 3-story building to the east which has no windows on that elevation and extends beyond the proposed addition. The building to the west is 2-story and the properties are separated by a 6-foot high board-on-board fence. Due to these factors, the light and air on the neighboring properties would not be unduly affected, and the addition would not have any direct views into those properties to affect their privacy.

- (c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and*

The addition would not be seen from Park Road, but would be visible from the rear alley. The addition would not intrude on the character, scale or development pattern along the alley as many of the original houses have rear additions. The original houses are of brick construction with the addition clad in siding. The proposed addition would not add significantly to the footprint or bulk of the house and would use materials similar or identical to the existing structure.

- (d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The applicant has provided graphical representations in the form of plans, photographs and drawings that sufficiently represent the proposed addition, in relation to adjacent buildings and as viewed from public ways.

223.3 *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The existing lot occupancy is 41% and increases to 51% which is above the 40% allowed by-right but is below the 70% allowed by this sub-section.

223.4 *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

The Office of Planning recommends no conditions or special treatments of the addition.

223.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The residential use of the property is a conforming use in the R-4 district.

VI COMMUNITY COMMENTS

The subject property is within Ward 1A. The ANC reviewed the proposal on June 9, 2010 and recommended that it be approved. A letter of support has been provided by the neighbor to the west at 722 Park Road.

VII SUMMARY AND RECOMMENDATION

The Office of Planning recommends **approval** of the proposed one-story, rear addition. As demonstrated in the analysis, the addition would not negatively impact the light, air or privacy of adjacent residents.